

## **REMARKS**

Claims are now pending in the application. Applicant would like to thank the Examiner for the courtesies extended to applicant's representative during a telephone interview on March 8, 2005. During that interview, Applicant and the Examiner discussed amendments to the claims as provided above. Although agreement was not reached at that time, Applicant believes these amendments traverse the Examiner's rejections. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

## **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-6, 11, 16-18, 26, 27 and 30 rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,318,825 (Carau) in view of U.S. Patent No. 5,572,651 (Weber). This rejection is respectfully traversed.

Carau is directed generally to a device for electronically capturing an image from a whiteboard. However, Carau fails to teach or suggest storing multiple scanned images from the whiteboard. Therefore, Carau fails to disclose a technique for indexing and retrieving multiple scanned images from a whiteboard. The Examiner relies on Weber to teach this aspect of Applicant's invention.

First, Applicant respectfully challenges the Examiner's basis for combining these two references. Citing column 3, lines 31-37, the Examiner states that Carau teaches storing multiple scanned images from the whiteboard. On the contrary, Carau teaches that a stored image may be output to different destinations. Thus, Carau fails to teach or suggest storing multiple scanned images from the whiteboard and there is no need

for an indexing and retrieval system as recited in Application's claimed invention. Without a clear teaching, suggestion or motivation, it is improper to combine these two reference to establish a rejection of Applicant's invention.

Second, the indexing and retrieval techniques disclosed in Weber are not suitable for use in a whiteboard application. For example, Weber relies upon a pen-based interface which captures stroke data from the pen (e.g., see Figure 13). In a whiteboard application, indexing information is based on user drawn marks extracted from a scanned image of the whiteboard. Therefore, it is unclear as to how the indexing and retrieval techniques disclosed in Weber may be integrated into a whiteboard application.

For at least the reasons described above, it is believed that the pending claims are patentably distinct over these references. Notwithstanding, independent Claim 1 has been amended to more clearly define the features of the present invention. Therefore, it is respectfully submitted that Claim 1, along with claims depending therefrom, defines patentable subject matter over Carau in view of Weber.

Applicant notes that independent Claims 16 and 26 recite similar subject matter, and thus should be allowable, along with claims depending therefrom, for the same reasons as Claim 1. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 5, 8, 13-15, 19, 21, 23, 24 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Carau in view of Weber and in further view of U.S. Patent No. 5,048099 (Lee). This rejection is respectfully traversed.


The Examiner relies on Lee to teach a circle extraction algorithm. However, as noted by the Examiner, Lee fails to teach or suggest removing a user drawn circle from a scanned image. The Examiner goes on to assert that implementing a circle extraction step and the motivation for combining this step with the other cited reference would have been obvious to one skilled in the art. Applicant respectfully disagrees with both assertions and therefore requests reconsideration and withdrawal of this rejection.

### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: April 8, 2005

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